

### **REMARKS**

By the present amendment, Applicant has amended Claims 1-8, and 10-14, and cancelled Claim 9. Claims 1-8, and 10-14 remain pending in the present application. Claims 1, 5, 8, and 12 are independent claims.

Applicant appreciates the courtesies extended to Applicant's representative during the personal interview held January 25, 2006. The present response summarizes the agreement reached. At the interview a proposed amendment to the claims was presented for discussion. Proposed Claims 1 and 8 set forth apparatus and method for injecting liquid fertilizer into a water supply line utilizing a collapsible bag. Proposed Claims 1 and 8 set forth apparatus and method for injecting liquid fertilizer into a water supply line by forming a premix of water and fertilizer utilizing an agitator. Arguments were advanced that the applied prior art of record failed to show the claimed embodiments. The Examiner indicated the proposed amendments to the claims appear allowable over the applied prior art of record.

The Examiner rejected Claims 1-4 under 35 U.S.C. 102(b), as being anticipated by Grindley et al. The Examiner rejected Claim 5 under 35 U.S.C. 102(b), as being anticipated by Beth. The Examiner rejected Claims 6, 7, 10, 13, and 14 under 35 U.S.C. 103(a) as being unpatentable over Grindley et al. in view of Beth. The Examiner rejected Claims 8, 9, 11, and 12 under 35 U.S.C. 103(a) as being unpatentable over Grindley et al. These rejections are respectfully traversed.

Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

The applied prior art reference to Grindley et al. discloses fire fighting foam mixing system including an inlet line, a holding tank connected to the inlet line, a collapsible impermeable bag filled with a foaming agent disposed within the holding tank, an outlet line connected to the bag, a port position indicator valve disposed in the outlet line for incrementally controlling the flow, and drainage valve to drain and release the input water in the holding tank. Upon the application of pressure from water entering the tank the bag is compressed, forcing the foam agent into the output line for subsequent dispersion.

The applied prior art reference to Beth discloses a pump for injecting fertilizer or other material into a pressurized water supply line including an impeller disposed in a housing, the housing having an inlet connected to the pressurized water supply line, and an outlet vented to the atmosphere. The impeller vanes are rotatably mounted within the housing and are rotated by the pressurized water flowing therethrough from its inlet to its outlet. The pump also includes an injector having a screw drive coupled to the impeller via a drive shaft. The injector receives fertilizer material, and via the screw drive, injects the material directly into the water supply line at a point downstream of the impeller.

The claims in this application have been revised to more particularly define Applicant's unique construction in view of the prior art of record. Reconsideration of the claims in light of the amendments and for the following reasons is respectfully requested.

With respect to the rejection of Claims 1-4, 8, 10, and 11, Applicant has amended independent Claims 1 and 8 to positively recite the contents of the collapsible impermeable bag is liquid fertilizer. The Examiner's contention that the original claim language to the contents was not given weight is unfounded by the presently amended claims. Applicant respectfully submits that for at least this reason, independent Claims 1 and 8, along with

Claims 2-4, and 10 and 11 respectively dependent therefrom, are not anticipated, nor rendered obvious, alone or in combination with the Beth reference, as alleged by the Examiner. Applicant respectfully submits that these claims are allowable over the prior art applied of record.

With respect to the rejection of Claims 5-7, and 12-14, Applicant has amended independent Claims 5 and 12 to positively recite that the mixing tank mixes a predetermined amount of fertilizer material with water with an **agitator** (emphasis added) in the mixing tank. This feature is clearly not shown in the applied prior art reference to Beth because at col. 3, line 5, et seq., the pump of Beth drives a conveyor via a drive shaft. There is no disclosure that the screw conveyor mixes the fertilizer material with water in the injector 10. Applicant respectfully submits that for at least this reason, independent Claims 5, and 12, along with Claims 6 and 7, and 11-14 respectively dependent therefrom, are neither anticipated, nor rendered obvious by the applied prior art reference to Beth. Applicant respectfully submits that these claims are allowable over the prior art applied of record.

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For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Warren S. Edmonds", written in a cursive style.

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